



For Immediate Release
Tuesday, May 15, 2024

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LDF Expresses Disappointment in Senate Roadmap on AI Policy

After months of convenings with industry experts and stakeholders, a bipartisan group of senators released a policy roadmap today outlining how the U.S. Congress might address issues related to artificial intelligence (AI). The report, drafted by Senate Majority Leader Chuck Schumer (D-NY) and Senators Martin Heinrich (D-NM), Mike Rounds (R-SD), and Todd Young (R-IN), comes at a time when the country is considering legal safeguards for this rapidly advancing technology.

The report suggests allocating \$32 billion dollars in AI innovation but fails to offer substantive recommendations on or funding to address the heightened risk of algorithmic bias and other discriminatory practices that contribute to racial inequality and may be exacerbated by this technology. Importantly, the roadmap fails to acknowledge the harms caused by government uses of AI, including the use of facial recognition and other technologies by law enforcement.

Automated systems can make systematically unfair decisions in housing, health care, and banking disproportionately affect people of color, women, LGBTQ+ people, people with disabilities, and other marginalized groups. This algorithmic bias can have devastating effects on our economy and democracy, ultimately depriving people of their freedom, and locking them out of opportunity.

Janai Nelson, President and Director-Counsel of the Legal Defense Fund (LDF), made the following statement:

“While we are pleased to see the Bipartisan Senate Working Group acknowledge that existing civil rights laws must apply to these new technologies, we see the roadmap on AI policy as a missed opportunity to address how AI can exacerbate racial inequity and invest in mitigation and solutions.

“Protecting civil rights should not be an afterthought. We hope that the senators will look beyond the proposals outlined in this roadmap to develop and advance meaningful legislation that adequately addresses the threat that algorithmic bias poses to Black communities and our country as a whole in line with the protections proposed in the White House’s Blueprint for an AI Bill of Rights.”

From 2020 to March 2024, LDF, the Student Borrower Protection Center, and Upstart, a leading artificial intelligence (AI) lending platform, participated in a groundbreaking [agreement](#) to transparently review the fair lending outcomes of Upstart’s model and assess best practices in the

use and testing of alternative data in AI lending platforms. LDF has also [urged federal regulators](#) to use their authority to regulate AI.

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Founded in 1940, the Legal Defense Fund (LDF) is the nation's first civil rights law organization. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.